

MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Subject Noncompetitive Appointment of Persons with Disabilities	Number 1-13AM
Originating Department Office of Human Resources	Effective Date June 25, 2013

Noncompetitive Appointment of Persons with Disabilities

Executive Regulation No. 1-13AM

Issued by: County Executive

Supersedes: Executive Regulation No. 12-00AM II, in part

Authority: Montgomery County Code, 2004, §33-7(b)

Council review: Method 1

Montgomery County Register Volume 30, Issue 4

Comment deadline: April 30, 2013

Effective date: June 25, 2013

Summary: This regulation implements Bill No. 32-12, Expanded Hiring of Persons with Disabilities Act, enacted by the Council on February 5, 2013. The regulation amends Section 6 of the 2001 Montgomery County Personnel Regulations to establish and maintain a program for the noncompetitive appointment of qualified persons with severe developmental, physical, or psychiatric disabilities to County merit positions.

Address for comments Office of Human Resources, Executive Office Building, 7th Floor
101 Monroe Street, Rockville, Maryland 20850

Staff contact: Stuart Weisberg, 240-777-5154, or stuart.weisberg@montgomerycountymd.gov

Please use the key below when reading this regulation:

Boldface
* * *

Heading or defined term.

Existing language unchanged by executive regulation.



MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

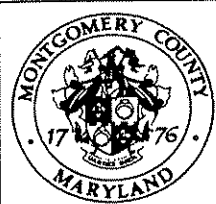
Subject	Noncompetitive Appointment of Persons with Disabilities	Number	1-13 AM
Originating Department	Office of Human Resources	Effective Date	June 25, 2013

SECTION 6. RECRUITMENT AND APPLICATION RATING PROCESS

* * *

6-14. Noncompetitive Appointment of Persons with Severe Disabilities to County Merit Positions

- (a) A department director may noncompetitively appoint a qualified person to a County merit position if the individual:
 - (1) has a severe developmental, physical, or psychiatric disability within the meaning of 5 C.F.R. 213.3102(u), the criteria for disability used by the Federal Office of Personnel Management for noncompetitive appointment to Federal merit system positions under its special hiring authority; and
 - (2) has been certified by the Maryland Department of Education Division of Rehabilitation Services or by an equivalent out-of-state vocational rehabilitation agency as meeting the definition of disability contained in (a) (1) above based upon medical evidence.
 - (3) meets the minimum qualifications for the position;
 - (4) is able to perform the essential duties of the job with or without reasonable accommodation;
 - (5) passes a background check, if required for the position; and
 - (6) passes a physical examination, if required for the position.
- (b) A department director may noncompetitively appoint an individual to a County merit position under section (a) above in the following circumstances:



MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Subject	Number
Noncompetitive Appointment of Persons with Disabilities	1-13 AM
Originating Department	Effective Date
Office of Human Resources	June 25, 2013

- (1) for the seamless and expeditious transition of QUEST, Project SEARCH, and Customized Employment Public Interns into permanent merit system positions without advertising the positions; or
 - (2) to fill a position designated by the OHR Director as appropriate for the noncompetitive appointment of persons with severe disabilities without advertising the position; or
 - (3) where a merit position has been advertised competitively and a qualified applicant who meets the eligibility requirement in (a) above applies for the position, a department director may hold the competitive process in abeyance and noncompetitively appoint the applicant with a severe disability.
- (c) Noncompetitive appointment under this section applies only to the initial appointment of a qualified person with a severe disability to a merit system position.
- (d) The department director must obtain the OHR Director's written approval of any noncompetitive appointment.
- (e) An individual noncompetitively appointed under this section must successfully complete the appropriate probationary period for the position in order to receive merit system status.
- (f) Noncompetitive appointment under this section is the prerogative of management and not a right or entitlement of a person with a severe disability. An individual may not file a grievance or appeal the denial of a noncompetitive appointment or




MONTGOMERY COUNTY EXECUTIVE REGULATION

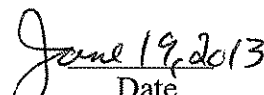
Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Subject	Noncompetitive Appointment of Persons with Disabilities	Number	1-13 AM
Originating Department	Office of Human Resources	Effective Date	June 25, 2013

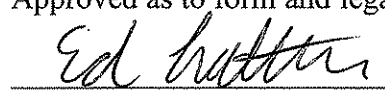
nonselection to the Merit System Protection Board.

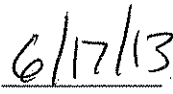
Approved:


Isiah Leggett, County Executive


Date

Approved as to form and legality:


Office of the County Attorney


Date